

We need to work to regain the confidence of the hardworking Americans like Leslie and Rebecca that they had in the past in our government, but no longer. This requires us to vote against budget proposals that include cap-and-trade and that hurt small businesses and discourage charitable giving.

We need a road to recovery that includes curbing wasteful spending, focusing on job creation and debt control. We need to do what is best for our country, and I'm committed to looking for alternative solutions and fighting for a capitalistic democracy.

#### FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. MCCLINTOCK) is recognized for 5 minutes.

Mr. MCCLINTOCK. Madam Speaker, today this House passed H.R. 1256, which takes tobacco regulation to a whole new level and, at the same time, imposes onerous new fees that are going to be transferred to consumers as higher prices. The entire debate over the bill was over what method should be used to do so. Before we close today's proceedings, I'd like to offer a somewhat different perspective.

Many years ago, author and commentator Bruce Herschensohn made this point. He said, "For every pleasure in life, there is a corresponding risk. I think that's a universal truth—for every pleasure in life, there is a corresponding risk."

And he pointed out that it's true that with enough taxes and laws and restrictions and regulations and penalties and lectures, government can produce a virtually risk-free society. But it will also be one of the most colorless, pleasureless, tedious, and miserable societies ever conceived by the mind of man. I believe that's the case.

The health risks of smoking are real and they are well-documented. Our schools rightly make a concerted effort to inform every child of the health risks of tobacco—and they do a good job of it. Our government warns every adult of the health risks of tobacco—and they do a good job of it, too.

As a result, I don't believe there's a single individual in the United States who doesn't well and fully comprehend the health risks of tobacco. But once those warnings are issued, how much farther should government go to make individual decisions for rational adults if they weigh the risks of smoking for themselves?

Ten years ago, after California had imposed yet another tax on tobacco products, I got a letter from a woman who said, "I'm 81 years old. I have been smoking my entire life. If I have to quit now, I'm going to die." She then went on to meticulously calculate how much the new tax cost would cost her on her limited, fixed income, and asked if I could help.

Madam Speaker, in every society, in every part of the world, in every period of history there is always a large group of people who simply want to be left alone to live their lives according to their own best judgment. And there's always a smaller but more domineering group who believe they're so good at running their own lives that they're just naturally entitled to run everybody else's as well.

Rarely has that conflict between these two groups come into sharper focus than in the ongoing efforts to restrict and regulate and tax and harass and intimidate individuals who, after weighing all the risks, decide to smoke anyway.

Personally, I think they're making a very bad decision. But they probably think others are making a very bad decision when they decide to go skiing or bungee jumping or skydiving or thousands of other pleasures that incur corresponding and calculated risks.

I wonder tonight whatever happened to the notion of personal responsibility and whatever happened to the notion, as Jefferson put it, of "a wise and frugal government which shall restrain men from injuring one another but shall leave them otherwise free to regulate their own pursuits of industry and improvement."

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 265

Mr. BISHOP of Utah. Madam Speaker, the gentlelady from Texas, who is still here on the floor, had inadvertently put me as one of the cosponsors on H.R. 265. I would ask unanimous consent to have my name removed from that particular bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

#### MAKING A PARADIGM SHIFT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Utah (Mr. BISHOP) is recognized for 60 minutes as the designee of the minority leader.

Mr. BISHOP of Utah. A few weeks ago, I was in my office and a respiratory therapist had come into the office. He was talking about one of the patients that he had who came up and asked him if she could have a stronger medicine because what she was using simply did not work for her.

So he said, Well, why don't you show me how you're using it. She showed him how she used it, and he said, Is that the way you always use it? The patient said, Yes. Then he said, Well, let's try it one more time—except this time why don't you take the cap off first.

Now, sometimes I think in the policies that we develop here in the United States we have the same process—we go through the motions but we simply

don't flat out take the cap off first. One of the things we need to do to solve our problem is simply take the cap off.

We have had an energy policy in this country for the last 40 years. It's basically been, we develop nothing in the United States and we insist on living on cheap foreign oil. The problem is, doing nothing in the United States for 40 years has put us into a situation that is very tenable. The other problem is there is no longer cheap foreign oil.

We have just recently voted on this floor on a budget—a budget outline. A budget outline that, quite frankly, taxes too much and spends too much and borrows too much. We've all heard that before because, to be honest, whether you talk now about the budget itself or the phrases of taxing, spending, and borrowing, they're basically a redundancy. They are indeed the same thing.

What we have also done in this House is make a major paradigm shift. For the last 20 years, we have been functioning under the basic philosophy that the individual is significant and important. The individual has a worth that is divine. That once you empower that individual and give that individual options, you're ennobling that person.

Well, the budget we just passed changes that basic philosophy. It changed that basic philosophy to say instead of empowering individuals, it is now the role and function of the Federal Government to solve people's problems. The Federal Government must now be given the power because the Federal Government now becomes the sole solution to the issues and needs of individuals.

Those of us in the West, members of the Western Caucus, have a different point of view because we basically trust people. We recognize that one of the most important things that should be given to any individual is options and choices.

People of the United States must be given options and choices so they can make a decision on how they want their life to develop. States should be given options and choices, regions should be given options. Whenever we try to establish a one-size-fits-all system from Washington, what we do is limit the ability to empower individuals to make decisions for themselves and to change their own lives.

When I was growing up, the only kind of music you could buy were on vinyl records. If you wanted a particular song, you had to basically buy the entire record.

With new gadgets today, even though they have become much smaller than this one that I still have absolutely no idea how to use, with gadgets like these today you can actually download the one record you want. You have a choice. You have options.

And it seems one of the ironies of our life today is that in every facet of human life, options prevail. People have choices—except when it comes to